

**CITY OF MARLBOROUGH  
CONSERVATION COMMISSION  
Minutes  
June 16, 2016 (Thursday)  
Marlborough City Hall – 3<sup>rd</sup> Floor, Memorial Hall  
7:00 PM**

**Present:** Edward Clancy – Chairman, Lawrence Roy, Dennis Demers, John Skarin, Karin Paquin, and Allan White. Also present was Priscilla Ryder - Conservation Officer.

**Absent:** David Williams

**Approval of Minutes** – The minutes of May 5, 2016 were reviewed and unanimously approved.

**Public Hearings:**

Notice of Intent

74 Boivin Dr. - Old South Street Realty

Michael Hassett, of Guerierre and Halnon, and Robert Valchuis the owner was both present. Mr. Hassett explained that they would like to build a house on this lot. A small retaining wall will be needed to raise the grade a bit. He discussed that they would building the two houses (see below) at the same time to blend the grading etc. The large boulder on site will remain. The two lots will have separate driveways off the cul-de-sac. 25' from the wetland a 4' high field stone retaining wall will be installed. There will be 5' from the wall to the edge of the foundation. They will build the wall first. There should be a balanced cut and fill between the two lots. There being no other questions the hearing was closed. Ms. Ryder will draft conditions for the next meeting. Ms. Ryder noted that the 20' wetland boundary markers are not all there she only found one. These will need to be installed.

Notice of Intent

176 Farm Rd. - Old South Street Realty

Mr. Hassett of Guerierre and Halnon was present and explained that based on comments from DPW Engineering this house will have an address of 80 Boivin Dr. and access driveway and utilities off Boivin Dr. The gravel driveway from Farm Rd. will be eliminated. There will be a common drive between the future #84 and this lot. Utilities will be provided off Boivin Dr. Grading as noted above will be done at the same time for both 74 and 80 Boivin Dr. for easier construction and grading. The Commission discussed wetland boundary markers and the need for a driveway easement over lot 7 (#84 Boivin). After some discussion, the Commission voted to close the hearing and Ms. Ryder will draft an Order of Conditions for review at the July 7<sup>th</sup> meeting.

#### Request for Determination of Applicability

Ames St. Brookview/Preserve at Ames - Fairfield Marlborough Limited Partnership

Mark Arnold from Goddard Consulting, the site wetland consultant; Kevin Malley of Fairfield Dev. and John Shipe of Shipe Consulting were present. They explained that there were some minor changes to the plans they wanted to include and get approval from the Commission.

These changes are as follows:

1. Smoking stations are to be added around both buildings in the parking lot as shown on the revised plans. The buildings are non-smoking, so if visitors or smokers rent the units they have a designated smoking area.
2. There is a slight rise in the height of the fence around the detention basin which is very minor.
3. They would like to add a dog park behind the building in Phase 2. 60% of the dog park as shown on the plans will have astro-turf for dogs called "K-9 grass". 40% will be regular grass. They provided a management plan to ensure that dog waste is picked up. They will have 12 places for "poop bag" dispensers and places to throw it away. The area where the dog park is to be located will be regraded and a pipe added to accommodate the runoff from Central Steel (abutter) to ensure drainage is conveyed. The Commission asked if there is any issue with the BOH or "dog waste" contamination to the city's adjacent water supply tributary. Ms. Ryder will ask.

After further discussion, the Commission determined that the dog park was acceptable along with the smoking stations and fence alteration. The Commission voted unanimously 6-0 to issue a negative Determination of Applicability with standard conditions.

#### Notice of Intent (Continuation)

Boston Post Rd. – Apex Center - Ryan Development LLC

Atty. Arthur Bergeron from Merrick O'Connell along with Kevin Erikson from Ryan Dev. LLC and Joe Peznola from Hancock Associates. Mr. Erikson explained that the owner Mr. Walker could not attend, but extended his gratitude for all the hard work being done by the city to review this project. They want to open the project in September 2017 and any delay will be a problem for them. Chairman Clancy noted that the Commission is enforcing a state law, so DEP would be reviewing this filling too and providing input and a DEP permit number. He noted that he was disappointed in the site walk held on June 9<sup>th</sup> since the flags were not all there and it was a bit disorganized.

Mr. Peznola explained that he had submitted a letter dated June 7<sup>th</sup> from Ryan Dev. to modify the Notice of Intent (NOI.) They would like to approach the project in two phases. The first NOI will cover: erosion controls, walls, sedimentation basins and diversion swales, soil management plan, cuts, fills and blasting. Then they will plan to

file another NOI for the rest of the project including drainage, building, pavement and utilities. DEP has asked for the submittal of a modified NOI and narrative as well.

He explained that the work is limited on the 50' buffer zone impact. At the suggestion of MAPC the parking lot was reconfigured, so that the impacts are under 4% of the 50' buffer zone. Mr. Peznola showed an overall site plan broken into sub watershed areas, noted the erosion controls and limit of work. All sub catchment areas have been sized and a temporary detention basin designed to meet the flow. He went through each area and explained the sequence which generally follows this: 1. Install erosion control (compost socks or equivalent), straw wattles, orange construction fence and chain link fence and silt fencing. 2. Cut trees, but no stumping or grubbing 3. Create sedimentation ponds and walls only and remove top soil from these areas and stockpile. 4. Build detention ponds and simultaneously the walls to keep drainage on site. 5. Move dirt around. He detailed sequencing for each of the sub units.

There was a lengthy discussion about construction sequencing and not opening the entire site up at once to avoid washout disaster. The proximity of the sewer line to the retaining wall and the need for the City Engineer to weigh in.

Mr. Matt Heil from Sanborn Head explained the soil management plan. The plan is to manage the first 12" of the top soil where arsenic and lead have been adsorbed. Their testing revealed that the contamination is not below this level. Items that must be controlled during construction are: 1. Dust control – dust monitoring stations will be installed which will text or e-mail site contractors and the LSP's, so that action can be taken immediately. Water from water trucks will be used to keep the dust down. 2. Post development soil cap system. The proposal is to mix the dirty soil with the clean soils to a level acceptable to the Geotech Engineer. Only a layer of clean soil will be placed over these mixed layers. He explained that there is no significant risk on site now. Republic will be the general contractor and he will be well versed in the soil management protocol. 3. Roots will be removed from the site. Soil on the roots will be shaken on site to remove the soil clumped to the roots.

The Commission discussed the need for the following information at the next meeting on June 30<sup>th</sup>. 1. Soil Management Plan, 2. Plan showing footings for wall, 3. Discuss sewer line relocation. The hearing was continued to the June 30<sup>th</sup> meeting.

**Certificate of Compliance:**

- DEP 212-998 714 Farm Rd. – Full - Ms. Ryder has not had a chance to inspect, this item was continued to the next meeting.
- DEP 212-1031 74 Boivin Dr. Ms. Ryder noted that this project had never started. She recommended this permit be closed. It will be replaced by a new Notice of Intent for a slightly

different lot configuration. The Commission voted unanimously 6-0 to issue a Certificate of Compliance.

- DEP 212-680 73 Dean Rd. (Lot 2) – Full – Ms. Ryder noted all work has been completed and the 20' wetland boundary markers installed. The Commission voted unanimously 6-0 to issue a full Certificate of Compliance.

**Discussion:**

- All Star Auto – 329 Maple St. – Violation follow up - The attorney called before the meeting and asked if this item could be continued to July 7<sup>th</sup>. This item was continued.

**Other Business/Correspondence:** The Commission reviewed the following correspondence and voted unanimously to accept and place on file.

- Letter to Olnezedia Custodia DaCruz, dated May 25, 2016 RE: Illegal Storage of Commercial Equipment, Violation of Wetlands Protection Act, 233 South Street – from Pam Wilderman
- Letter from John G. Crowe Associates, Inc. dated June 8, 2016 RE: Pedestrian Safety Improvements and BMP Cleaning, Spring 2016 O & M Inspection Report – Raytheon Co. – Hager Pond Campus.

**Meetings** – Next Conservation meetings – The Commission agreed to hold the next meetings on June 30<sup>th</sup> and July 21<sup>st</sup>. 2016 (Thursdays) since there would not be a quorum on July 7<sup>th</sup>.

**Adjournment:** There being no further business, the meeting was adjourned at 9:22 PM.

Respectfully submitted,

  
Priscilla Ryder  
Conservation Officer *PR*